

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

**NOTICE OF MOTION
TO FILE UNDER SEAL**

v.

Case No: 15-CR-149(RJA)

FRANK R. PARLATO, JR.,
Defendants.

S I R S :

PLEASE TAKE NOTICE, that upon the annexed affidavit of Herbert L. Greenman, Esq. the undersigned moves this Court for an Order allowing counsel to file motion under seal for reasons set forth in the affidavit annexed hereto and made a part hereof together with such other and further relief as to this Court may seem just and proper.

DATED: Buffalo, New York
August 30, 2023

Respectfully submitted,

/s/Herbert L. Greenman

HERBERT L. GREENMAN
LIPSITZ GREEN SCIME & CAMBRIA LLP
Attorneys for Defendant
FRANK PARLATO
Office and Post Office Address
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Buffalo, New York 14202
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

**AFFIDAVIT
TO FILE UNDER SEAL**

v.

Case No: 15-CR-149(RJA)

FRANK R. PARLATO, JR.,

Defendants.

STATE OF NEW YORK)
COUNTY OF ERIE SS:
CITY OF BUFFALO)

HERBERT L. GREENMAN, ESQ., being duly sworn, deposes and says:

1. I am the attorney for Frank Parlato, Jr. and I am co-counsel with attorney Paul J. Cambria, Jr., Esq.
2. Your deponent requests that the defendant's motion be filed under seal because the motion includes sensitive personal information that should not be made public.

WHEREFORE, your deponent prays that this Court issue an Order rule accordingly.

DATED: August 30, 2023
Buffalo, New York

Respectfully submitted,

/s/Herbert L. Greenman
HERBERT L. GREENMAN, ESQ.
PAUL J. CAMBRIA, JR., ESQ.
JUSTIN D. GINTER, ESQ.
LIPSITZ GREEN SCIME CAMBRIA LLP
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jginter@lglaw.com

Sworn to before me this 30th day
of August, 2023

/s/Elizabeth M. Jagord-Ward

Notary Public
State of New York, Qualified in Erie County
My Commission Expires October 31, 2026

TO: MICHAEL DIGIACOMO, ESQ.
CHARLES KRULY, ESQ.
ASSISTANT UNITED STATES ATTORNEYS
Federal Centre
138 Delaware Avenue
Buffalo, New York 14202

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANK R. PARLATO, JR.,

Defendants.

ORDER
Case No: 15-CR-149

UPON THE MOTION OF THE DEFENDANTS, requesting that the Motion dated August 30, 2023 be filed under seal, it is

ORDERED, that defendant's motion is granted and the Court will file said document under seal.

IT IS SO ORDERED.

HON. RICHARD J. ARCARA
SENIOR UNITED STATES DISTRICT JUDGE
UNITED STATES DISTRICT COURT

DATED: August ____, 2023